IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No.1824 of 1988

The Board of Trustees of the Port
of Bombay .. Plaintiff

versus

Kunal Woollen Mills (P) Ltd. .. Defendant

...

Mr.U.J. Makhija i/b Mulla & Mulla for the plaintiff.

Mr.Sanjiv Singh i/b Narichania & Narichania for the defendant.

CORAM : D.G. KARNIK, J

DATED : 22nd June 2006.

P.C.:

1. Heard learned counsel for the parties.

2. Learned counsel for the plaintiff points out that the defendants have not filed written statement for many years and prays for a decree under Order 8 Rule 10 of the Code of Civil Procedure. Suit is for

recovery of money only. In the absence of written statement, averments made in the plaint are deemed to be admitted.

3. Suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of prayer clause (a).

(D.G. KARNIK, J)